

California Regional Water Quality Control Board
Santa Ana Region

RESOLUTION NO. R8-2009-0027

Resolution Revising a Request for Cleanup and Abatement Account Funds Related to
Perchlorate and Volatile Organic Compound Contamination of Groundwater in the Rialto
Area

WHEREAS:

1. Sections 13440 through 13443 of the California Water Code established the State Water Pollution Cleanup and Abatement Account (Account) to be administered by the State Water Resources Control Board (State Board).
2. Grants to public agencies and regional boards are available from the Account. The State Board may order monies to be paid from the Account to a public agency or regional board to assist it in cleaning up waste or abating its effects on waters of the State.
3. The Rialto Groundwater Management Zone is beneficially used for municipal and domestic supply. A significant water quality problem that poses a potential threat to public health currently exists in the Rialto Groundwater Management Zone due to pollution from perchlorate and volatile organic compounds ("perchlorate/VOC pollution"). A significant source of this pollution is an area generally referred to as the 160-acre site, located in the City of Rialto.
4. The Executive Officer has issued Draft Amended Cleanup and Abatement Order No. R8-2005-0053. That order would require that parties subject to the order conduct various investigation and cleanup work to address the perchlorate/VOC pollution from the 160-acre site.
5. A hearing on Draft Amended Cleanup and Abatement Order No. R8-2005-0053 has not been conducted and is not scheduled at this time. As a result, work that would be required by the order is not being conducted by any parties. The perchlorate/VOC pollution of groundwater from the 160-acre site continues to migrate since no remedial measures to address that pollution are currently in place.
6. The City of Rialto and the West Valley Water District submitted a request, dated February 6, 2008, for \$3 million of funding from the Account. On February 29, 2008, the Board adopted Resolution No. R8-2008-0020 directing the Executive Officer to submit a request for \$3 million from the Account to support the project proposed by the City of Rialto and West Valley Water District. The Executive Officer submitted such a request on March 5, 2008. On March 18, 2008, the State Water Resources Control Board adopted Resolution No. 2008-0018 approving \$3 million from the Account for a project consistent with the February 6, 2008, request by the City of Rialto and West Valley Water District.
7. On March 9, 2009, the City of Rialto and West Valley Water District entered into a Memorandum of Understanding (MOU), for the purpose of developing a new plume interception and biological treatment project. The two agencies seek funding for this new project as an alternative to the work proposed in the prior


request, and submitted a letter dated April 15, 2009, requesting that the previously approved funds be redirected to this new project. The work proposed in both the initial request and the MOU is related to the perchlorate/VOC pollution from the 160-acre site and is necessary to develop and initiate a remedial action plan for this perchlorate/VOC pollution.

8. The new project proposed by the City of Rialto and the West Valley Water District in their MOU and April 15, 2009, letter will help to expedite the cleanup of a serious perchlorate/VOC plume in groundwater that continues to migrate. It is therefore appropriate for the State Board to consider revising its prior funding approval to accommodate this revised project.

THEREFORE, BE IT RESOLVED THAT:

1. The Regional Board expresses its appreciation to the State Board for its adoption of Resolution No. 2008-0018 approving \$3 million from the Account.
2. The Executive Officer is directed to submit a request that the State Board revise its prior approval of \$3 million from the Account. The request shall be based on the modified project described in the MOU between the City of Rialto and the West Valley Water District. The funds shall be requested to be provided to the Regional Board to support the perchlorate/VOC plume interception and biological treatment project proposed by the City of Rialto and the West Valley Water District.
3. The Regional Board requests that the State Board consider this request at the earliest available opportunity.
4. The Executive Officer is directed to transmit a copy of this Resolution to the State Board.

I, Gerard J. Thibeault, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Santa Ana Region, on April 24, 2009.



Gerard J. Thibeault
Executive Officer